

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

Dana Lyon,

Plaintiff,

VS.

Kohler Co.,

Defendant/Third Party Plaintiff,

VS.

Watts Water Technologies, Inc.,

Third Party Defendant.


CIVIL ACTION NO. H-04-3533

MEMORANDUM AND ORDER

Pending before the Court is Third Party Defendant Watts Water Technologies, Inc.'s ("Watts") motion for leave to designate responsible third party. That motion, Docket No. 30, is hereby **DENIED WITHOUT PREJUDICE TO REILING**. If Watts wishes to refile the motion, it should confer with the other parties to this suit as to whether they oppose the motion. Watts should include with its refiled motion a certificate of conference indicating whether or not the motion is opposed. If the motion is unopposed, it should be captioned as such.

IT IS SO ORDERED.

SIGNED at Houston, Texas, on this the 20th day of December, 2005.

A handwritten signature in dark ink, appearing to read "Keith P. Ellison", is written above a horizontal line.

KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE

**TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES
THIS ORDER SHALL FORWARD A COPY OF IT TO EVERY
OTHER PARTY AND AFFECTED NON-PARTY EVEN THOUGH
THEY MAY HAVE BEEN SENT ONE BY THE COURT.**